

BAILEY GLASSER **LLP**

209 Capitol Street
Charleston, WV 25301
Tel: 304.345.6555
Fax: 304.342.1110

Christopher D. Smith
csmith@baileyglasser.com

May 3, 2024

Via CM/ECF

Hon. Joseph R. Goodwin
6610 Robert C. Byrd United States Courthouse
300 Virginia Street East
Charleston, WV 25301

Re: *Philips North America LLC v. Probo Medical, LLC, et al.*
Civil Action No. 2:21-cv-00298

Judge Goodwin,

The parties write to inform you that after extensive negotiation, last night, the parties signed a detailed, 8-page term sheet to resolve this matter. Before I proceed, know that counsel for Philips North America, LLC reviewed this letter, and they have agreed to the contents and representations in it. The parties are in the process of reducing the terms to a final settlement agreement, which would result in dismissal with prejudice of the pending lawsuit. As you undoubtedly know, the parties have spilled considerable ink lately, and we know that the Court is busy considering the issues raised by the parties in advance of trial. We always appreciate the Court's consideration, but we wanted to give you courtesy notice that the parties have agreed to resolve the matter. The parties are working diligently to paper that resolution and will stipulate to the dismissal of this action as soon as possible.

Best,



Christopher D. Smith

cc: All Counsel of Record (*via CM/ECF*)